

Report Date: August 4, 2017

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

AUG 07 2017

Eastern District of Washington

SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Eric Franklin Rosser

Case Number: 0980 1:17CR02005-LRS-1

Address of Offender:

Yakima, Washington 98902

Name of Sentencing Judicial Officer: The Honorable John D. Tinder, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: October 24, 2003

Original Offense: Conspiracy to Transport, Ship, Distribute and Receive Child Pornography, 18 U.S.C. § 2252(a)(1) & 2252(b)(1)
Production of Child Pornography, 18 U.S.C. § 2251(a)
Distribution of Child Pornography, 18 U.S.C. § 2252(a)(2)
Receiving Child Pornography, 18 U.S.C. § 2252(a)(2)

Original Sentence: Prison 200 months;
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Ian Lloyd Garriques

Date Supervision Commenced: January 13, 2017

Defense Attorney: Kenneth D. Therrien

Date Supervision Expires: January 12, 2020

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 06/19/2017 and 07/22/2017.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

3 **Mandatory Condition** : The defendant shall not illegally possess a controlled substance.

Supporting Evidence: This officer met with Mr. Rosser on January 19, 2017, and reviewed the judgement and sentence from the Southern District of Indiana which contained the mandatory, standard, and special conditions of supervised release. The document was signed after review.

Mr. Rosser was found to be in possession of about \$1,000 worth of marijuana, when the local law enforcement authorities in Billings, Montana served a search warrant on Mr. Rosser's belonging on or about August 1, 2017.

- 4 **Special Condition #26:** You are prohibited from possessing or manufacturing any material, including videos, magazines, photographs, computer-generated depictions, or any other media that depict sexually explicit conduct involving children or adults, as defined at 18 U.S.C. § 2256(2). You must not enter any establishment involved in the sex industry, including but not limited to adult bookstores, massage parlors, and strip clubs. You must not utilize any sex-related adult telephone numbers. The supervising officer is authorized to monitor compliance in this area by obtaining relative records including but not limited to telephone, Internet, credit cards and bank statements.

Supporting Evidence: This officer met with Mr. Rosser on March 27, 2017, and reviewed the form Prob 12B, waiver of hearing to modify conditions of probation/supervised release or extend term of supervision. We reviewed and signed the document, which was submitted to the Court and was approved on March 28, 2017, document number 4.

Officers in Billings, Montana, obtained a search warrant for Mr. Rosser belongings. The warrant was served on the defendant's belongings on or about August 1, 2017, and the agents located a digital versatile disc (DVD) case which contained two DVD's depicting adult pornography. The two pornographic DVD's were concealed inside another non-pornographic DVD case.

- 5 **Special Condition #18:** You may access on-line "computer," or internet services, except that you shall not access any on-line computer or internet services, sites, or media that include or feature material that depicts "sexually explicit conduct" involving adults or "minor[s]," "child pornography," or "visual or auditory depictions" of "minor[s]" engaged in sexually explicit conduct," all as defined in 18 U.S.C. § 2256.

Supporting Evidence: This officer met with Mr. Rosser on March 27, 2017, and reviewed the form Prob 12B, waiver of hearing to modify conditions of probation/supervised release or extend term of supervision. We reviewed and signed the document, which was submitted to the Court and was approved on March 28, 2017, document number 4.

Mr. Rosser, while riding a Greyhound bus, was observed by another passenger watching, what appeared to be child pornography, on a computer device. The passenger/witness observed the website Mr. Rosser was on was listed as, "pedobox" and the passenger/witness observed that the individuals on the screen Mr. Rosser was watching were believed to be young girls around 6 years old. The passenger/witness confronted Mr. Rosser over what he was watching and Mr. Rosser told the passenger/witness, "please leave me alone, I know I have a problem."

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 4, 2017

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

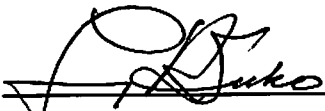
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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

8/7/17

Date